

# SENATORS AND OFFICERS POST-TRAVEL DISCLOSURE OF TRAVEL EXPENSES

Date/Time Stamp:

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2022 MAR 17 PM 3:52

This disclosure, along with a copy of the Private Sponsor Travel Certification Form and all attachments, MUST be provided to the **Office of Public Records, Room 232 of the Hart Building**, within **30 days** after the travel is completed.

Senator Shelley Moore Capito

In compliance with Rule 35.2(a) and (c), I \_\_\_\_\_, make the following

(Name of Senator/Officer)

disclosures with respect to travel expenses that have been or will be reimbursed/paid for me.

Private Sponsor(s) (list all): American Enterprise InstituteTravel date(s): March 10-13, 2022Destination(s): Sea Island, GeorgiaName of accompanying family member (if any): Charles CapitoRelationship to Member/Officer: ☒ Spouse ☐ Child

FILL IN THE APPROPRIATE LINES. IF THE COST OF LODGING **DID NOT INCREASE** DUE TO THE ACCOMPANYING SPOUSE OR DEPENDENT CHILD, ONLY INCLUDE LODGING COSTS IN EMPLOYEE EXPENSES. (Attach additional pages if necessary.)

**Expenses for Senator/Officer:**

	Transportation Expenses	Lodging Expenses	Meal Expenses	Other Expenses (Amount & Description)
<input type="checkbox"/> Good Faith Estimate	\$1168 (*668 Airfare*, 500 round trip ground transportation)	Total : \$1,602.00	Total: \$387.00 per person	Waived Conference Fee for All Speakers
<input checked="" type="checkbox"/> Actual Amount	Ground transportation is per couple	(534.00/night) *per couple	(3 Breakfast, \$42) (2 Lunch \$48) (3 Dinner, 55)	\$16,000

**Expenses for Accompanying Spouse or Dependent Child (if applicable)**

	Transportation Expenses	Lodging Expenses	Meal Expenses	Other Expenses (Amount & Description)
<input type="checkbox"/> Good Faith Estimate	668 airfare	\$0	\$387.00 per person	
<input checked="" type="checkbox"/> Actual Amount		Lodging Shared with Spouse		

Provide a description of all meetings and events attended. See Senate Rule 35.2(c)(6). (Attach additional pages if necessary.): Itinerary Attached

I HAVE MADE A DETERMINATION THAT THE TRAVEL DESCRIBED ABOVE WAS IN CONNECTION WITH MY DUTIES AS AN OFFICEHOLDER, AND DID NOT CREATE THE APPEARANCE THAT I WAS USING PUBLIC OFFICE FOR PRIVATE GAIN.

3/17/2022

(Date)

Shelley Moore Capito

(Signature of Senator/Officer)

RECEIVED  
SECRETARY OF THE SENATE  
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2022 MAR 17 PM 3:07

## PRIVATE SPONSOR TRAVEL CERTIFICATION FORM

This form must be completed by any private entity offering to provide travel or reimbursement for travel to Senate Members, officers, or employees (Senate Rule 35, clause 2). Each sponsor of a fact-finding trip must sign the completed form. The trip sponsor(s) must provide a copy of the completed form to each invited Senate traveler, who will then forward it to the Ethics Committee with any other required materials. The trip sponsor(s) should **NOT** submit the form directly to the Ethics Committee. Please consult the accompanying instructions for more detailed definitions and other key information.

The Senate Member, officer, or employee **MUST** also provide a copy of this form, along with the appropriate travel authorization and reimbursement form, to the Office of Public Records (OPR), Room 232 of the Hart Building, within thirty (30) days after the travel is completed.

1. Sponsor(s) of the trip (please list all sponsors): American Enterprise Institute
2. Description of the trip: World Forum focuses on creative and forward-looking ideas in pursuit of independent and innovative policy solutions with real-world impact.
3. Dates of travel: March 10-13, 2022
4. Place of travel: Sea Island, Georgia
5. Name and title of Senate invitees: See Addendum
6. I *certify* that the trip fits one of the following categories:
  - ☒ (A) The sponsor(s) are not registered lobbyists or agents of a foreign principal **and** do not retain or employ registered lobbyists or agents of a foreign principal **and** no lobbyist or agents of a foreign principal will accompany the Member, officer, or employee *at any point* throughout the trip.
  - OR -
  - ☐ (B) The sponsor or sponsors are not registered lobbyists or agents of a foreign principal, but retain or employ one or more registered lobbyists or agents of a foreign principal and the trip meets the requirements of Senate Rule 35.2(a)(2)(A)(i) or (ii) (*see question 9*).
7. ☒ I *certify* that the trip will not be financed in any part by a registered lobbyist or agent of a foreign principal.
  - AND -
  - ☒ I *certify* that the sponsor or sponsors will not accept funds or in-kind contributions earmarked directly or indirectly for the purpose of financing this specific trip from a registered lobbyist or agent of a foreign principal or from a private entity that retains or employs one or more registered lobbyists or agents of a foreign principal.
8. I *certify* that:
  - ☒ The trip will not in any part be planned, organized, requested, or arranged by a registered lobbyist or agent of a foreign principal except for *de minimis* lobbyist involvement.
  - AND -
  - ☒ The traveler will not be accompanied on the trip by a registered lobbyist or agent of a foreign principal except as provided for by Committee regulations relating to lobbyist accompaniment (*see question 9*).

9. **USE ONLY IF YOU CHECKED QUESTION 6(B)**

I *certify* that if the sponsor or sponsors retain or employ one or more registered lobbyists or agents of a foreign principal, one of the following scenarios applies:

- ☐ (A) The trip is for attendance or participation in a one-day event (exclusive of travel time and **one** overnight stay) and no registered lobbyists or agents of a foreign principal will accompany the Member, officer, or employee *on any segment* of the trip.

- OR -

- ☐ (B) The trip is for attendance or participation in a one-day event (exclusive of travel time and **two** overnight stays) and no registered lobbyists or agents of a foreign principal will accompany the Member, officer, or employee *on any segment* of the trip (*see questions 6 and 10*).

- OR -

- ☐ (C) The trip is being sponsored only by an organization or organizations designated under § 501(c)(3) of the Internal Revenue Code of 1986 and no registered lobbyists or agents of a foreign principal will accompany the Member, officer, or employee *at any point* throughout the trip.

10. **USE ONLY IF YOU CHECKED QUESTION 9(B)**

If the trip includes two overnight stays, please explain why the second night is practically required for Senate invitees to participate in the travel:

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11. ☒ An itinerary for the trip is attached to this form. I *certify* that the attached itinerary is a detailed (hour-by-hour), complete, and final itinerary for the trip.

12. Briefly describe the role of each sponsor in organizing and conducting the trip:

AEI organizes the trip and conference and plans the agenda, while AEI scholars lead panel discussions on policy issues. AEI is responsible for all logistical aspects of getting the Senator to and from the conference.

13. Briefly describe the stated mission of each sponsor and how the purpose of the trip relates to that mission:

AEI is a non-profit, tax-exempt, public policy research organization. The World Forum seeks to encourage frank and free-ranging conversations over a number of public policy issues important to today's world. AEI expects the Forum to inspire ideas that expand human dignity and human potential at home and abroad.

14. Briefly describe each sponsor's prior history of sponsoring congressional trips:

This is the 39th year of the World Forum. Each Forum, AEI invites a number of public officials to join the conversation. Members from both the House and the Senate regularly attend.

15. Briefly describe the educational activities performed by each sponsor (other than sponsoring congressional trips):

AEI hosts around 250 public events (both virtual and in-person) each year. In addition to distributing other educational materials via online resources, including the AEI website and emails. These products cover a number of topics and seek to encourage the competition of ideas.

16. Total Expenses for Each Participant:

	Transportation Expenses	Lodging Expenses	Meal Expenses	Other Expenses
<input checked="" type="checkbox"/> Good Faith estimate  <input type="checkbox"/> Actual Amounts	See Addendum	TOTAL: \$1,602.00 (\$534.00/night) *per couple	TOTAL: \$387.00 per person (3 Breakfast, \$42) (2 Lunch, \$48) (3 Dinner, 55)  Guest TOTAL: \$387.00 per person	Waived Conference Fee for All Speakers: \$16,000

17. State whether a) the trip involves an event that is arranged or organized *without regard* to congressional participation or b) the trip involves an event that is arranged or organized *specifically with regard* to congressional participation:

This trip is arranged without regard to congressional participation.

18. Reason for selecting the location of the event or trip

The hotel is in close proximity to East Coast and easily accessible by multiple airports.

19. Name and location of hotel or other lodging facility:

The Cloister at Sea Island

100 Cloister Drive, Sea Island, Georgia 31561

20. Reason(s) for selecting hotel or other lodging facility:

The hotel is in close proximity to East Coast and easily accessible by multiple airports.

21. Describe how the daily expenses for lodging, meals, and other expenses provided to trip participants compares to the maximum per diem rates for official Federal Government travel:

Please see attached.

22. Describe the type and class of transportation being provided. Indicate whether coach, business-class or first class transportation will be provided. If first-class fare is being provided, please explain why first-class travel is necessary:

Commercial air travel (economy class) will be provided to and from the event, as well ground transport to and from the airport and Sea Island (standard Sedan or SUV pickup).

23. ☒ I represent that the travel expenses that will be paid for or reimbursed to Senate invitees do not include expenditures for recreational activities, alcohol, or entertainment (other than entertainment provided to all attendees as an integral part of the event, as permissible under Senate Rule 35).

24. List any entertainment that will be provided to, paid for, or reimbursed to Senate invitees and explain why the entertainment is an integral part of the event:

None

25. I hereby *certify* that the information contained herein is true, complete and correct. (For trips involving more than one sponsor, you *must* include a completed signature page for each additional sponsor):

Signature of Travel Sponsor: 

Name and Title: Kate Fugate, Senior Event Strategist, Development Events

Name of Organization: American Enterprise Institute

Address: 1789 Massachusetts Ave NW, Washington, DC 20036

Telephone Number: (202) 862-5884

Fax Number: N/A

E-mail Address: Kate.Fugate@aei.org

AEI WORLD FORUM, March 10-13, Sea Island, Georgia

ADDENDUM: Question 21:

The lodging cost per day (\$534.00/night) is higher than the per diem rate of the area. Senate participants will be placed in standard rooms. Since this is a large conference, this was the lowest cost and closest to the per diem rate that AEI could secure, given the hotel's prices. The cost of meals (\$42/breakfast, \$48/lunch, \$55/dinner) reflects the catering cost charged to AEI by the hotel. Alcohol is not included. This trip was arranged without regard to congressional participation, and we verify that no special treatment was given to members in either lodging or food.

Question 16 Addendum:

Transportation Expenses:

\$1168 (\$668 airfare\*, \$500 round trip for ground transportation

- ground transportation is only charged once per couple

\*avg. round trip DCA to JAX as of 2.3.2022

\$668 for guest flight (ground transportation listed above)

**Question 5 Addendum:****Shelley Moore Capito, Senator, West Virginia****Susan Collins, Senator, Maine****John Cornyn, Senator, Texas****Mitch McConnell, Senator, Kentucky****Rob Portman, Senator, Ohio****Ben Sasse, Senator, Nebraska****Rick Scott, Senator, Florida****Tim Scott, Senator, South Carolina**

**Senator Shelley Moore Capito and Charles Capito**

**Arrival Flight:**

- **Thursday, March 10<sup>th</sup> - DCA to JAX**
- **4:59 PM – 7:04 PM**
- **American Airlines 5223**

**Departure Flight:**

- **Sunday, March 13<sup>th</sup> - JAX – CLT & CLT – CRW**
- **1:20 PM – 5:49 PM (Total travel time including layover in CLT)**
- **American Airlines 5049 and 5207**

**Friday, March 11**

7:30–8:30 a.m.

Early Bird Breakfast

The Cloister

**An Interview with the Director of the National Economic Council**

Brian Deese

James Pethokoukis (Moderator)

The Director of the National Economic Council will discuss the current economic climate in the United States, along with its challenges and solutions.

15 Min Break

8:45–10:00 a.m.

Breakout Sessions

The Cloister

**The Return of Stagflation?**

Jason Furman

Michael R. Strain

Phillip Swagel

Kevin Warsh

Mark M. Zandi

James Pethokoukis (Moderator)

Consumer prices are rising faster than they have in decades. Inflation is wrecking consumer confidence. The Federal Reserve came to realize it was behind the curve in curbing inflation, but did that realization come too late? Will inflation cool in 2022, or will it lead to stagnation? Will the Fed be forced to take aggressive action, and could that accidentally tip the economy into a recession? A panel of expert economists will discuss what to expect this year.

**What Is the University For?**

Joshua T. Katz

Anthony Kronman

Jenna Silber Storey

Benjamin Storey (Moderator)

Higher education has been the subject of intense controversy in recent years, as threats to free speech, intellectual diversity, and the academic ethic have proliferated. But to prevail in the resulting struggles, it is crucial to recall what there is to fight for in the university, not just what there is to fight against. Worries about illiberalism on campus should point us toward the importance of liberal education and the essential role that the humanities can play in the life of a free society.

**What to Do About Ukraine**

Hal Brands

Frederick W. Kagan

Rob Portman

Kori Schake (Moderator)

Russia has amassed more than 130,000 troops on Ukraine's borders and demanded the US reverse 30 years of European security as the price for Russia not invading Ukraine. What are the US and NATO doing, and what should they be doing to respond?

### What to Expect from This Year's Supreme Court Session

Paul D. Clement  
Amy Howe  
Scott A. Keller  
Adam J. White (Moderator)

The ongoing term of the Supreme Court, which will conclude this spring, is exceptionally packed with consequential cases. The justices will take up abortion, affirmative action, religious liberty, the administrative state, and a number of other crucial issues. What should we expect in these key cases, and what might they teach us about the direction of the Roberts Court and the future of our system of government?

15 Min Break

10:15–11:30 a.m.

Morning Sessions

### Securing Public Trust in Our Elections

John C. Fortier  
Kevin Johnson  
Yuval Levin (Moderator)

The Cloister

The administration of elections has become explosively controversial in the past few years, as both serious worries and baseless conspiracies have multiplied while Republicans and Democrats have each pursued partisan legislative measures on their own. Distinguishing truth from falsehood and fostering greater public confidence in the essential infrastructure of our democracy requires an informed and level-headed conversation across party lines.

### Should Washington Regulate Silicon Valley?

Katie Biber  
Timothy J. Muris  
Jeffrey A. Rosen  
Ari Schulman  
Adam J. White (Moderator)

As the major social-media platforms and other key technology companies have come to play a greater role in the lives of all Americans, policymakers have increasingly been pressured to regulate their growing power. The prospect of such action has divided the political right in particular. But aggressive talk has far exceeded careful thought on all sides of the resulting debates, and some basic questions remain wide open: What are the problems to be solved? What powers are legitimately available to policymakers? What are the potential consequences of action and inaction?

### Talent: What We Know About How It Is Cultivated and What It Means for Schools, Parents, and Education Policy

Doug Dukey  
Michael Gove  
Michael Moe  
Ian Rowe  
Matt Sigelman  
Frank C. Worrell  
John P. Bailey (Moderator)

We use the word "talent" all the time, but what is it? Do we really understand how to identify and cultivate it in children and workers? Does our educational system help or hinder it? Are we overlooking talented young people because of how we measure ability? Join us for an intriguing discussion about the state of talent development in America and what it means for our schools, universities, and businesses.

11:30 a.m.–12:30 p.m. Informal Lunch

The Cloister

30 Min Break

The Cloister

1:00–3:15 p.m.

General Session

### China

Jim Banks  
Ami Bera  
Dan Blumenthal  
Matt Pottinger  
Derek Scissors  
Danielle Pletka (Moderator)

The US-China formal diplomatic relationship is creeping up to a half century in age. Rarely has it been so fraught. The two nations are intertwined as never before economically, politically, and militarily. Once, China's predations in the South China Sea, its aggression toward Taiwan, its theft of American intellectual property, and even its takeover of Hong Kong could be glossed over; they were matters of concern but not action. That is no longer the case. Under the Trump administration, trade relations soured over allegations that Beijing manipulated and violated global trading rules. Under the Biden administration, the trading relationship has not improved (though trade and investment have continued to soar), and Congress has ensured that sanctions are now in place for what two secretaries of state have labeled the ongoing genocide against China's Muslim Uyghurs. Is there an endgame between the US and China? How about a strategy? And what exactly is that strategy?

15 Min Break

**Executive Time or Participation in Taiwan War Game**

3:30–5:30 p.m.

Taiwan War Game

The Cloister

Join AEI's Foreign and Defense Policy Studies scholars for a war game, modeled after Pentagon strategy sessions, and learn about the department's research on how the US can counter China. You will play as a US or allied leader and make decisions as a crisis unfolds in the Taiwan Strait. Will you be able to contain the crisis, or will China take the island?

5:30–6:00 p.m.

Reception

6:00–6:45 p.m.

Dinner Conversation

The Cloister

**Governing in Divided Times**

Patrick McHenry

Elise Stefanik

Yuval Levin (Moderator)

If Republicans regain one or both chambers of Congress in 2023, control of Congress and the presidency will be divided for the fifth time in the 21st century. If control changes hands, how would a divided Congress relate to President Joe Biden, and what space would there be for policymaking on the country's toughest challenges?

6:45–8:15 p.m.

Dinner

The Cloister

15 Min Break

Starlight Chats

8:30–9:30 p.m.

**A Conversation with Tim Scott****Our Age of Decadence**

Ross Douthat

Yuval Levin (Introduction)

**Saturday, March 12**

7:30–8:30 a.m.

Early Bird Breakfasts

The Cloister

**Why Does Racial Inequality Persist?**

Glenn C. Loury

Ryan Streater (Introduction)

**The Future of Conservative Journalism**

Jonah Goldberg

Ramesh Ponnuru

Matthew Continetti (Moderator)

15 Min Break

8:45–10:15 a.m.

Breakout Sessions

The Cloister

**America's Pandemic Response: Lessons and Challenges**

Scott Gottlieb

Asa Hutchinson

Joseph A. Ladapo

James Taranto (Moderator)

America's response to COVID-19 has raised far more questions than it has answered. How can we hasten the return to normalcy? How can we prevent the next pandemic and protect our way of life from dramatic changes? How should policymakers navigate the relationship between public health and economic well-being? And is there a place for mandates and restrictive public health measures in a free society? Join former Food and Drug Administration Commissioner Scott Gottlieb, Florida Surgeon General Joseph Ladapo, and moderator James Taranto of the *Wall Street Journal* as they look for answers.

**Can the US Defend Taiwan?**

Hal Brands

Klon Kitchen

Oriana Skylar Mastro

Rick Scott

Kori Schake (Moderator)

China has been unwavering in insisting on reunification with Taiwan, although the Taiwanese increasingly view themselves as Taiwanese rather than Chinese. China has modernized its military, prioritizing capabilities to threaten Taiwan's independence. Does China pose a near-term military threat to Taiwan? Could it subvert Taiwan without fighting? Leading AEI scholars will share their research on the threats China poses.

### Leaving No Man Behind: The American Patriots Rescuing US Citizens and Allies We Abandoned in Afghanistan

Elliot Ackerman  
Mike Edwards  
Michael Waltz  
Marc A. Thiessen (Moderator)

While the Biden administration is heralding its August pull-out from Afghanistan as an "extraordinary success," America's tumultuous retreat has sparked outrage and shame in the United States and abroad. Amid a hasty and calamitous military evacuation, a terror attack carried out by the Islamic State-Khorasan at Kabul's international airport on August 26, 2021, resulted in the deaths of an estimated 170 Afghans and 13 US service members. Moreover, despite President Joe Biden's vow to leave no man behind, when the last American plane departed Kabul, hundreds of American citizens and as many as 62,000 of our Afghan allies were left stranded and at the mercy of the Taliban. In the face of government inaction, a handful of individuals dedicated themselves to raising awareness and getting those we abandoned out of Afghanistan. Join AEI Senior Fellow Marc A. Thiessen as he hosts Rep. Michael Waltz (R-FL), founder of Project Exodus Relief and former Army Special Operations Officer Mike Edwards, and author and former Marine Elliot Ackerman for a discussion on their past and ongoing efforts to rescue the American citizens and Afghan allies left behind during the US withdrawal from Afghanistan.

15 Min Break

10:30-11:45 a.m.

Morning Conversation

The Cloister

#### A Conversation with Michael Burns

Ross Douthat (Moderator)

Michael Burns, vice chairman of Lionsgate, has been a prominent Hollywood executive for two decades. Leading the company responsible for such hit films as *The Hunger Games*, *John Wick*, and the *Twilight* franchise and television hits such as *Mad Men* and *Orange Is the New Black*, among many others, he is also one of the few right-of-center voices in the industry. Mr. Burns and AEI Nonresident Fellow Ross Douthat will discuss the state of the movie business, politics and Hollywood, and much more.

15 Min Break

12:00-1:45 p.m.

Lunch Conversation

The Cloister

#### A Conversation with Mitch McConnell

15 Min Break

2:00-3:15 p.m.

Breakout Sessions

The Cloister

#### Alternative Approaches to Poverty

Robert Doar  
Glenn C. Loury  
Ian Rowe  
Scott Winship  
Naomi Schaefer Riley (Moderator)

Progressive politicians and experts often identify racial discrimination and material deprivation as the primary causes of poverty in America. Conservatives believe the issue is more complicated and that issues such as family formation, employment, substance abuse, and neighborhood safety are more important. But what are the solutions to those issues? And how big of a role should government efforts play in addressing them? Panelists will share their insights around alternative solutions to the challenges of poverty and inequality. Professor Glenn C. Loury of Brown University and AEI's Ian Rowe will also offer their perspectives on race and inequality—a preview of the conference they are organizing in Dallas this May.

### Does the Biden Economic Agenda Have a Future?

Ami Bera  
John Cornyn  
Brian Deese  
R. Glenn Hubbard  
Patrick McHenry  
Michael R. Strain  
Alex Brill (Moderator)

President Joe Biden's Build Back Better (BBB) initiative collapsed. But the White House and congressional Democrats remain committed to advancing an economic and social policy agenda. What are the prospects for major legislation? What would a BBB 2.0 include? And how would Democrats' policy goals affect the economy, workers, and households?

**How Do We Teach Contested American History?**

Wilfred M. McClay  
 Diana Schaub  
 Ben Sasse  
 Yuval Levin (Moderator)

History and civic education are essential to national unity, but as we have seen in recent years, they are also inherently controversial subjects. In deciding how to teach the rising generation about both the highs and the lows of our society's past, we are forced to ask who we are as a nation and who we aim to be. How should historians, teachers, parents, and citizens approach the resulting challenges? How can we avoid both whitewashing our greatest national failings and diminishing our country's greatest achievements?

**Stressing Institutions: The White House and the Justice Department After the 2020 Election**

Jeffrey A. Rosen  
 Marc A. Thiessen (Moderator)

During President Donald Trump's last month in office, he continued to repeat claims of widespread election fraud, both publicly and privately, including to cabinet officials. At the Department of Justice (DOJ), Acting Attorney General Jeffrey A. Rosen faced persistent inquiries from the president, but the department maintained its proper role and held fast to the rule of law. What really happened? What is the DOJ's proper role? Why did the system work in this instance? And how can we move on with a renewed commitment to the Constitution?

4:00–4:45 p.m.	Executive Time	The Cloister	
4:45–5:45 p.m.	Reception	The Cloister	
15 Min Break	Keynote Lecture	The Cloister	
5:45–7:00 p.m.	<b>A Conversation with Susan Collins Again</b>		
15 Min Break	Robert Doar (Moderator)		Senator Susan Collins, in conversation with AEI President Robert Doar, will discuss the current domestic policy issues facing the United States Senate.
7:15–8:45 p.m.	Dinner	The Beach Club	
15 Min Break	Starlight Chat	The Cloister	
9:00–10:00 p.m.	<b>Welcome to the Intellectual Wet Market</b>		
	Jonah Goldberg		
	<b>A Conversation with Nicholas Eberstadt</b>		
	Robert Doar (Moderator)		

**Sunday, March 13**

8:00–10:00 a.m.	Early Bird Breakfast	The Cloister	
	<b>The State of the Climate</b>		
	Steven E. Koonin Shelley Moore Capito Ryan Streeter (Moderator)		Steve Koonin is a world-renowned physicist and bestselling author of <i>Unsettled: What Climate Science Tells Us, What It Doesn't, and Why It Matters</i> (2021), which lays out the science of climate change in ways rarely covered in the media. Sen. Shelley Moore Capito (R-WV) is the highest-ranking Republican on climate policy in the US Senate. This session will explore the state of the science on climate change and what commonsense policies should look like.
	<b>How Conservatives Changed the World— and How They Can Do It Again</b>		
	Matthew Continetti		AEI Senior Fellow Matthew Continetti will offer a sweeping account of conservatism's evolution, from the Progressive Era through the present. Drawing out the tensions between the desire for mainstream acceptance and the pull of ideological purity, Continetti argues that the more one studies conservatism's past, the more one can make sense of its present and its future.

CHRISTOPHER A. COONS, DELAWARE, CHAIRMAN  
JAMES LANKFORD, OKLAHOMA, VICE CHAIRMAN

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JEANNE SHAHEEN, NEW HAMPSHIRE

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DEB FISCHER, NEBRASKA

SHANNON HAMILTON KOPPLIN, CHIEF COUNSEL AND STAFF DIRECTOR  
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## United States Senate

### SELECT COMMITTEE ON ETHICS

March 9, 2022

The Honorable Shelley Moore Capito  
United States Senate  
Washington, DC 20510

Dear Senator Capito:

This responds to your recent correspondence requesting approval from the Select Committee on Ethics (the Committee) to accept an invitation you and your spouse received to travel to the *American Enterprise Institute's World Forum*, in Sea Island, Georgia, on March 10–13, 2022, sponsored by the American Enterprise Institute (AEI). Provided that you adhere to the guidance set forth below, it appears that it is permissible for you to accept necessary expenses from AEI in connection with this trip.

### Background

Based on your communication with the Committee, the background in this matter is as follows.<sup>1</sup> AEI invited you and your spouse to travel to the *American Enterprise Institute's World Forum* in Sea Island, Georgia, on March 10–13, 2022. AEI certified to the Committee that it will pay the necessary expenses<sup>2</sup> related to the travel and that it is neither a lobbyist, lobbying firm, agent of a foreign principal, or otherwise acting as a representative or agent of a foreign government. AEI has also certified that it does not retain or employ a registered lobbyist or agent of a foreign principal and that no registered lobbyist or agent of a foreign principal will accompany you at any point throughout your trip.<sup>3</sup>

### Discussion

Privately-sponsored travel includes any gift of travel and travel-related expenses for travel outside the Senate duty station, including transportation, lodging, food and refreshments, and conference fees and materials, whether paid for directly, reimbursed, or provided directly, from a private individual or entity, in connection with a Member's, officer's, or employee's official Senate duties. Incorporating reforms from the Honest Leadership and Open Government Act of 2007 (HLOGA), Pub. L. 110–81 (2007), Senate Rule 35.2 permits Members, officers, and employees to accept privately-sponsored travel only with the prior written approval of the Committee.

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<sup>1</sup> If this letter does not correctly recite the facts, contact the Committee immediately.

<sup>2</sup> The term “necessary expenses” has a specific definition. See *Select Committee on Ethics' Regulations and Guidelines for Privately-Sponsored Travel – Glossary of Terms* at 8.

<sup>3</sup> The term “any point throughout your trip” has a specific definition. See *id.* at 2.

The Committee's approval process is governed by the *Regulations and Guidelines for Privately-Sponsored Travel and Glossary of Terms* (collectively, *Travel Regulations*). The *Travel Regulations* contain detailed requirements regarding who may sponsor travel; time limits for trips; and the type and amount of expenses that can be reimbursed.

Entities that do not retain or employ a lobbyist or foreign agent and all non-profit organizations designated as tax-exempt organizations under § 501(c)(3) of the Internal Revenue Code of 1986, regardless of whether they retain or employ a lobbyist or foreign agent, may sponsor domestic trips for up to three days. The three-day limitation means three 24-hour periods, calculated from the time of arrival in the trip location to the time of departure from the trip location. For such trips, neither lobbyists nor foreign agents may accompany a Senate invitee at any point throughout the trip, other than in a *de minimis* way.<sup>4</sup> This means that neither lobbyists nor foreign agents may accompany Senate invitees at any point to and from the event, at the event itself, or at the location being visited.<sup>5</sup>

Under Senate Rule 35, a Senator or officer who receives payment or reimbursement for necessary expenses related to fact-finding travel must disclose those expenses to the Secretary of the Senate by filing the completed *Senators and Officers Post-Travel Disclosure of Travel Expenses* (Form RE-3), along with a copy of the *Private Sponsor Travel Certification Form*, and all relevant attachments (e.g., the private sponsor's invitation and itinerary) **within 30 days of the conclusion of Privately-Sponsored Travel**.

Consistent with these standards and Committee precedent, and AEI's factual representations, it appears that it is permissible for you to accept necessary expenses from AEI in connection with this trip, provided that the actual travel and travel-related expenses conform to the information and materials you provided, and the travel and all required documents are disclosed to the Secretary of the Senate (Office of Public Records). Necessary expenses may include travel expenses for the spouse of a Member if the Member determines that the attendance of the spouse is appropriate to assist in the representation of the Senate.

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<sup>4</sup> The term "*de minimis*" has a specific definition. See *Select Committee on Ethics' Regulations and Guidelines for Privately-Sponsored Travel – Glossary of Terms* at 3.

<sup>5</sup> See *Select Committee on Ethics' Regulations and Guidelines for Privately-Sponsored Travel* at 5; see also *Select Committee on Ethics' Regulations and Guidelines for Privately-Sponsored Travel – Glossary of Terms* at 2-3.

Finally, Senate Rule 34 requires a Member, on their Financial Disclosure Report, to make an annual disclosure of the receipt of payments or reimbursements under Senate Rule 35 from a private sponsor for officially-related travel expenses where, in the aggregate, travel expenses exceed \$415 from that sponsor during a calendar year. However, if a Member, officer, or employee properly reports the receipt of necessary expenses for such travel to the Secretary of the Senate within 30 days of the travel, as discussed above, the travel expenses need not be disclosed a second time on their Financial Disclosure Report.

I hope you find this information helpful. If you have any additional questions, please do not hesitate to contact the Committee.

Sincerely,



Shannon Hamilton Kopplin  
Chief Counsel and Staff Director

Enclosure: Travel Checklist